

REMARKS

Entry of the Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-15 are pending. Claims 1-13 stand rejected and claims 14 and 15 are objected to. Claims 1, 2, 5, 6, 7, 9, 12, 14 and 15 have been amended. No new matter has been added.

Claims 14 and 15 are objected to because they include numbers referencing the drawings. Applicant thanks the examiner for his observation and has amended claims 14 and 15 to remove the reference numbers.

Having amended the claims to remove the objected to language, applicant submits that the reason for the objection has been overcome. Applicant respectfully requests withdrawal of the objection.

Claims 1-15 stand rejected under 35 USC §112 for failing to particularly point out and distinctly claim the subject matter regarded as the invention. The Office Action states that the term "orthogonalized" or references to values as "orthogonal" are unclear as the "accepted meaning for 'orthogonal' refers to vectors that are perpendicular and as such their dot products would be equal to zero. The values in the claims referred to as orthogonal, however, are not vectors and therefore cannot be described as orthogonal. The specification fails to point out how these scalar values exhibit the qualities of orthogonality."

Applicant respectfully disagrees with, and explicitly traverses the reason for rejecting the claims. Claim 1 recites, in part, that

" m_{α}^{ortho} is a desired orthogonalized boundary value in the MESM and that the desired orthogonalized boundary value m_{α}^{ortho} is calculated by linearly combining the desired boundary value m_{α} with desired boundary values m_{β} of attributes β that have a larger range than the attribute α ."

In this case, the determination of the orthogonalized boundary value m_{α}^{ortho} is clearly

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defined in the claims as a linear combination of desired boundary values. Hence, the term "orthogonalized boundary value" $m_{\alpha}^{\text{ortho}}$ is not indefinite.

Applicant would further note that a careful reading of the specification and the claims fails to make reference to the term "orthogonal" or that the values calculated are perpendicular to one another. Applicant believes that the term "orthogonalized boundary value" is properly identified by the written description and the claims and that the inference or inclusion of the standardized definition of the term "orthogonal" has been impermissibly read into the claims.

Having shown that the term "orthogonalized boundary value" is clearly defined in the claims, applicant submits that the reason for the rejection has been overcome. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claims 1-13 stand rejected under 35 USC §101 because the claimed invention is directed to non-statutory subject matter.

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, in the interest of advancing the prosecution of this matter, claim 1 has been amended to recite that the method comprises the step of iteratively determining a desired function that provides a useful, concrete and tangible result for calculating free parameters in an MESM speech recognition system. Hence, claim 1, as amended, more clearly recites patentable subject matter.

Having shown that claim 1 includes subject matter that produces a useful result, applicant submits that the reason for the rejection has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

The other claims in this application are dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration of the patentability of each on its own merits is respectfully requested.

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Applicant, through his attorney, wishes to thank the examiner for his indication of allowable subject matter in claims 1-15, which were rejected as being dependent upon a rejected base claim.

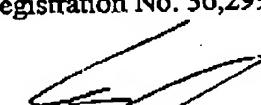
Applicant respectfully submits that the amendments to claim 1 place independent claim 1 in an allowable form. In addition, claims 2-15 ultimately depend from claim 1, and thus these claims are also allowable. Accordingly, applicant believes that for the amendments made to claim 1, all the claims are allowable.

Although the last Office Action was made final, the amendments made to the claims should be entered. No matter has been added to the claims that would require comparison with the prior art or any further review only require a cursory review is required by the examiner. The amendment therefore should be entered without requiring a showing under 37 CFR 1.116(b).

Applicant further submits that the claims were amended to correct errors in form and not to overcome any reference cited. Applicant submits that the substance of the originally filed claims has not been amended and the amendments made are neither related to patentability nor alter or limit the substance of the subject matter claimed.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable. A Notice of Allowance is respectfully requested.

Respectfully submitted,
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